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☞ Details: Proposed Audit: Personnel Policies and Practices, University of Wisconsin System

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Joint

(Assembly, Senate or Joint)

Committee on Audit...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
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(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
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- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (October 2012)

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State bureau to audit UW System

KAREN RIVEDAL krivedal@madison.com
October 19, 2005

The nonpartisan Legislative Audit Bureau will take a top-to-bottom look at an array of employment practices within the University of Wisconsin System and issue a report next year.

The Legislature's Joint Audit Committee voted 9-0 Tuesday to authorize the review, which state Auditor Jan Mueller said would be "large, broad-based and comprehensive."

Lawmakers and System officials alike hope the audit will lay to rest lingering concerns over how - and how wisely - the System spends taxpayer money on employee perks such as vacation, sick leave and so-called backup appointments. Backups are a form of job security available by state law or contract to many administrators who can be fired at will by campus chancellors or System President Kevin Reilly.

State auditors also will examine the System's use of consultants and its procedures for firing professors convicted of serious crimes.

Members of the UW Board of Regents already have made some policy changes, such as requiring faculty members to get a doctor's note for sick leaves longer than five days and strengthening the board's internal audit function.

More changes are on the way, board President David Walsh told lawmakers Tuesday, especially in terms of finding ways to fire faster professors found guilty of felonies. Walsh on Monday appointed a committee to examine possible changes to the university's disciplinary process, including exploring whether state law could be changed to remove the current prohibition against firing employees on the basis of a criminal conviction alone.

"Simply stated, that process is broken," Walsh said. "It does not work in egregious cases and it needs to be fixed."

Legislators assured Walsh they would move quickly on requests to change the laws. They agreed that System officials must balance the desire to fire people faster with concerns about shared governance and accused employees' constitutional rights.

But they urged Walsh to get the required faculty input and move forward with recommendations by December.

"This issue is extremely weighty and of utmost importance," said committee co-chairwoman Rep. Suzanne Jeskewitz, R-Menomonee Falls.

Co-committee chairwoman Sen. Carol Roessler, R-Oshkosh, said the board-approved changes were a "good beginning," while Rep. Dean Kaufert, R-Neenah, said System officials "finally understand that the status quo isn't working anymore."

Policy problems came to light after a series of controversies this summer involving System employees, including the seven-month leave of UW-Madison administrator Paul Barrows and three UW-Madison professors being convicted of felonies. The System also received criticism and questions over paid leaves by top administrators at other campuses and over System policies concerning sexual harassment and sick leave.

In her audit, which likely won't be finished for several months, Mueller said she would try to compare System policies with those of peer universities and those of other agencies within state government.

When it comes to dismissals, the System operates differently from other state agencies in at least one respect. Other agencies fire first and then reimburse employees later with back pay if appeals prove they shouldn't have been fired.

But in the System, professors and some academic staff usually must be paid throughout the appeals process. The same state rules also mandate that employees typically must be able to keep working while appeals proceed, reflecting the policy's historical roots in concerns about preserving academic freedom.

The specifics State lawmakers Tuesday approved an audit of the University of Wisconsin System's personnel policies and practices to include:

A review of management and oversight of System personnel functions as established by state law and System policies.

A look at backup appointments, including their length and whether people with such appointments have tenure or were hired from within the System.

A review of employees designated as consultants, including how much they are paid and what tasks they perform.

A summary of all felons on the payroll, including the crime committed, the date of conviction and the status of any university investigations.

An analysis of sick leave, vacation and sabbatical use by employment category, including faculty members, academic staff and classified employees.

A review of any cash settlements paid to individuals who have left the System.

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DuluthNewsTribune.com

Posted on Wed, Oct. 19, 2005

Lawmakers authorize UW audit

BY TODD RICHMOND
ASSOCIATED PRESS

MADISON - A legislative committee Tuesday ordered a sweeping state audit of the University of Wisconsin System's employment policies.

The Joint Legislative Audit Committee voted 9-0 to order the state audit bureau to review how the system manages employees. The bureau will examine so-called backup positions, which are jobs some workers have waiting for them if they are demoted. It also will review sick-leave policies and identify any felons on the system's payroll.

Angry lawmakers have been calling for the review for months after learning UW-Madison's former vice chancellor of student affairs, Paul Barrows, used seven months of sick leave and vacation to look for another job.

UW System President Kevin Reilly reprimanded UW-Madison Chancellor John Wiley for not forcing Barrows to show he was sick or order him back to work. Wiley eventually demoted Barrows to a backup job.

University officials have pointed to a state law that prevents them from firing employees based on convictions alone and say they must give the professors due process before taking away their tenure. Lawmakers have criticized the university for moving too slowly in their investigations and the appeals process in the cases.

Reilly testified before the committee that he's already made changes. They include suspending backup job offers to new hires; an order for new policies calling for timely investigations and discipline of system workers charged with felonies; and a new sick-leave policy requiring a doctor's certification.

UW Board of Regents President David Walsh told the committee he appointed a panel Monday to study the system's employee discipline policies. The panel will find out whether the policies cause unnecessary delays before the system can take action against a worker.

The UW panel should finish its work by December and will share its findings with the audit committee, he said.

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NEWS

Wiley's letter to Reilly delineates employment

policy reforms

by Michael Gendall

Tuesday, October 25, 2005

University of Wisconsin System President Kevin Reilly sent a letter to UW-Madison Chancellor John Wiley Monday acknowledging he has reviewed the report Wiley delivered to him late last week.

The system released both letters, which deal with changes in employment practices at UW-Madison, to The Badger Herald later in the day.

In his letter to Reilly, Wiley said his campus has improved its documentation of employee-leave practices, including the implementation of the new regents' policy requiring a doctor's certification for a sick-leave period of more than five consecutive days.

"Employees' monthly leave statements will be signed by the employee's immediate supervisor, as he/she is the person most familiar with the employee's schedule," Wiley wrote. "All supervisors will independently receive detailed instructions on measures to take that can help verify the accuracy of the leave accounting, and supervisors will be held accountable for implementing these measures."

Reilly demanded last month that Wiley prepare a list of employment-policy changes in the wake of an internal investigation of UW employment practices and policies.

That investigation, conducted by attorney Susan Steingass, called into question actions taken by Wiley relating to the improper authorization of paid leave given to Paul Barrows, the university's former vice chancellor of student affairs.

Also in his letter to Reilly, Wiley noted all monthly statements will now read, "I certify that the leave time I reported is accurate," and "I understand that misrepresentation can lead to disciplinary action" above the employee's signature.

The chancellor additionally reported new standards are being implemented to "require all limited appointees to participate in sexual-harassment training as a condition of appointment" and vowed to work with governance groups to extend this training to all supervisory personnel.

"This training will be broad enough to include a review of established law, literature and practice regarding the influence of power and authority in interpersonal conduct within the workplace," Wiley wrote.

In his response, Reilly signified his satisfaction with the chancellor's reforms.

"[T]he additional statement that accompanies the employee signature is clear and confirms our expectations for university employees claiming paid leave," Reilly said. "With this addition, and with the training steps you have outlined, I believe you will have reasonably done what you can to ensure that campus leave policies will be followed."

In an e-mail to The Badger Herald late Monday night, Wiley said policy changes that do not require modification of any written guidelines have already been made, but added additional alterations are

pending legislative action.

“I don’t know how long it may take to get changes in written policies,” Wiley said. “It depends on how long the Senate and Assembly want to debate (and, of course, how they vote, in the end). My hope and expectation is that we will see serious consideration yet this semester.”

Wiley also informed Reilly of his request for a shared-governance group – which would include members of the Faculty Senate, the Academic Staff Assembly and ASM – to review the existing content of the campus “consensual relations” policy. The policy guides employees in their assessment of any conflicts of interest associated with “romantic or sexual relationships.”

“The steps you are taking to respond to serious concerns regarding campus climate, especially providing a safe and harassment-free work environment for all UW-Madison students and employees, seem appropriate,” Reilly responded. “I’d ask that at the end of this process you report back to me on improvements regarding respect and safety for all students and staff.”

Reilly acknowledged the chancellor’s assessment and review will likely extend over the next several months.

Board of Regents President David Walsh, citing Wiley’s body of work at the university, expressed his vote of confidence in the chancellor’s ability to correct past mistakes.

“The system as well as UW-Madison is extremely fortunate to have a person with the leadership skills of John Wiley. He’s been a tremendous leader,” Walsh said. “It’s unfortunate that we spend a lot of time talking about one or two personnel matters [because] his legacy is that he has driven us to greater heights in every one of the key areas: team building, research awards, alumni gifts [and] rankings.”

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October 20, 2005

President Kevin Reilly
University of Wisconsin System
1720 Van Hise Hall
CAMPUS MAIL

Dear Kevin:

I write to provide an update on steps I have taken to address concerns regarding employee leave practices on the UW-Madison campus.

All employees currently fill out a monthly statement indicating the types and duration of leave taken, although the content varies significantly with employment status (e.g., 9-month faculty appointments do not include "vacation" time). The monthly statements that each employee receives and completes will now include the following message above the employee's signature block: "I certify that the leave time I have reported is accurate. I understand that misrepresentation can lead to disciplinary action."

Employees' monthly leave statements will be signed by the employee's immediate supervisor, as he/she is the person most familiar with the employee's schedule. All supervisors will independently receive detailed instructions on measures to take that can help verify the accuracy of the leave accounting, and supervisors will be held accountable for implementing these measures.

UW-Madison is implementing the new Regent policy that requires UW employees to provide a doctor's certification when using sick leave for a period of more than five consecutive days. I understand that UW System Administration is preparing training materials for supervisors on the new requirements for use by the institutions. We will implement that training when the materials are available. I will also send a letter to all UW-Madison faculty, academic staff and limited employees about the new sick leave rules at that time.

With regard to broader employee practices on the UW-Madison campus, new standards are being implemented to require all limited appointees to participate in sexual harassment training as a condition of appointment. This training will be broad enough to include a review of established law, literature and practice regarding the influence of power and authority in interpersonal conduct within the workplace. I will be working with governance groups to extend this training to all supervisory personnel.

Office of the Chancellor

Bascom Hall University of Wisconsin-Madison 500 Lincoln Drive Madison, Wisconsin 53706
608/262-9946 Fax: 608/262-8333 TTY: 608/263-2473

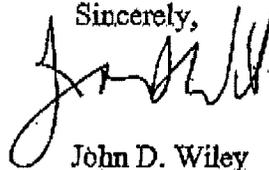
President Kevin Reilly
October 20, 2005
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I also will send a letter to all UW-Madison employees providing them information about our policies on sexual harassment, consensual relations, nepotism, research conflict of interest; and scientific misconduct.

I have begun engaging our campus governance groups in discussions about our sexual harassment training and ways to expedite review of all employment implications, if any, for faculty and staff convicted of felony offenses. I also have asked a shared governance group to review the existing content of the campus "consensual relations" policy to determine whether more specific parameters should be established to guide employees in their assessment of any conflicts of interest associated with romantic or sexual relationships.

Please contact me if you have questions or would like additional information about these actions.

Sincerely,



John D. Wiley
Chancellor

bc: Peter Spear
Darrell Bazzell
Gina Sapiro
Casey Nagy
Eden Inoway-Ronnie
Amy Toburen
Kristi Thorson
Don Nelson
Steve Lund
Carla Raatz

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EDITORIAL: UW's leadership hasn't earned trust

Governor, legislators should closely monitor follow-up to UW promises.

"OUR DISCIPLINARY process needs to be examined. It does not work in egregious cases."

Leave it up to higher education to make the simple sound complicated.

David Walsh, president of the UW System Board of Regents, made the statement in promising officials would work toward rewriting disciplinary rules in the wake of a series of embarrassing (and worse) disclosures. First, it was revealed the system had paid hundreds of thousands of dollars to failed administrators on leave - and promised them back-up jobs when they got around to going back to work. Then came news that three faculty members who had been convicted of serious crimes were not fired.

One could say that constitutes a process that "does not work."

OR ONE COULD SAY it's what happens when management is insufficiently engaged, and unwilling to take charge and act boldly to protect the integrity of the institution and the safety of everyone else.

Whether the UW system is capable of improving without intervention from the governor and legislature is an open question.

For example, Walsh told the Milwaukee Journal Sentinel any changes in disciplinary rules would have to be worked out in consultation with faculty. He said the university must maintain "a delicate balance" between the rights of personnel accused or convicted of crimes, and the safety of others - including students - on the campuses.

Such sentiments illustrate the reluctance to manage on the part of administrators, and the excessive preoccupation with collegialism in relations with employees. And, yes, faculty are employees.

This is not, after all, about telling a biology professor to teach intelligent design instead of evolution. There's no threat to academic freedom.

It's about criminal behavior and gross incompetence and the obligation university management has to the taxpayers of Wisconsin.

THE STATE IS conducting an audit of the university's policies and procedures. That audit is expected to be done next spring.

A skeptic might wonder if the long timeline is designed to put enough air under this controversy to assure it floats out of the minds of angry citizens. Then university officials could slap a new coat of paint over the stains on the gravy train and keep on riding.

In our view, Gov. Jim Doyle and members of the legislature have no reason to trust university officials to get this right. The foolishness of existing practices, coupled with the staggering ineptitude of management, has allowed taxpayers to be fleeced long enough.

Higher-ups should make sure university decision-makers know somebody is looking over their shoulders. Citizens who pay the bills - both in taxes and student fees and tuition - deserve much better.

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Reilly tells of his role in Barrows case

KAREN RIVEDAL krivedal@madison.com

October 29, 2005

608-252-6106 University of Wisconsin System President Kevin Reilly raised no objections to the plan to demote UW-Madison administrator Paul Barrows and let him take a personal leave when Reilly was told about the situation by Chancellor John Wiley last November.

In the first public acknowledgement that university leaders outside UW-Madison knew about the Barrows' matter early on, Reilly in a recent interview with the State Journal explained his limited role in it.

"When John chose to remove Paul from his vice chancellor position, we did have a conversation about that then," Reilly said. "After that I wasn't tracking it. That's John's job, exactly as it is on any other campus."

Wiley declined to comment on Reilly's remarks. Wiley has said he takes full responsibility for decisions he made in the Barrows' case, which set off a storm of personnel controversies at UW-Madison and throughout the System this past summer, leading to a decision Oct. 18 for a full audit of practices involving leave time, backup appointments and other personnel matters by the nonpartisan Legislative Audit Bureau.

Barrows, who had been vice chancellor of student affairs, was demoted by Wiley in November and put on leave for dating a graduate student, although the relationship was not disclosed at the time. His leave stretched to seven months and was heavily criticized by some lawmakers when Barrows returned in June, because Barrows spent much of the time trying to find another job outside UW-Madison, with Wiley's knowledge and approval.

Wiley last month was formally criticized by Reilly in a reprimand letter that faulted him for abusing the System's sick-leave policy. In the letter, which came after a university investigation of the matter, Reilly said Wiley should have more quickly secured documentation that Barrows was really sick or put him in a lower-paid backup job guaranteed by Barrows' contract with a previous chancellor.

Reilly's letter makes no mention of the fact that Reilly was aware of the situation when it started. Wiley has acknowledged he should have been more diligent about monitoring Barrows' leave, but said he still believes it was appropriate to make Barrows use his own earned sick days and vacation time to cover the leave, rather than the university paying for it outright. Wiley also said he hoped and believed at the time that Barrows would be able to quickly find another job away from UW-Madison.

Reilly said he knew last November about "some of the problematical elements" involved in removing Barrows, who enjoyed strong support from some factions within the university. It also was well known at Bascom Hall, according to former Dean of Students Luoluo Hong and others, that Barrows had a reputation for sleeping around with staff and students, though no woman has ever filed a formal complaint against him.

"I knew John had problems with some of that kind of behavior (allegedly involving Barrows)," Reilly said.

The university investigation finished last month also faulted Barrows for sexually harassing two women on campus while he was vice chancellor, though the graduate-student relationship was deemed consensual. Barrows now works back at Bascom Hall in his backup job, which he can't be fired from without just cause under state rules.

Wiley has said the harassment allegations aren't enough to fire Barrows, because the women involved will not file formal complaints.

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UW puts clamps on sick leave

By Judith Davidoff
December 1, 2005

Starting today, University of Wisconsin-Madison employees will have to vouch for the accuracy of their leaves of absence and could face discipline for misrepresentation.

Chancellor John Wiley informed employees and academic staff in a memo Wednesday that monthly leave statements will now include the following message above the employee's signature:

"I certify that the leave time I have reported is accurate. I understand that misrepresentation can lead to disciplinary action."

He also informed employees that UW-Madison is implementing the new regent policy that requires UW employees to provide a doctor's certification when using sick leave for a period of more than five consecutive days. Employees were also warned to submit their leave statements, which need to be signed by their supervisors, each month.

Wiley also notified UW System President Kevin Reilly in a letter late last month that letters about sexual harassment training are in the works.

"With regard to broader employee practices on the UW-Madison campus, new standards are being implemented to require all limited appointees to participate in sexual harassment training as a condition of appointment," he wrote.

"This training will be broad enough to include a review of established law, literature and practice regarding the influence of power and authority in interpersonal conduct within the workplace. I will be working with governance groups to extend this training to all supervisory personnel."

"I also will send a letter to all UW-Madison employees providing them information about our policies on sexual harassment, consensual relations, nepotism, research conflict of interest, and scientific misconduct."

Patti Brennan, chairwoman of the executive committee of the Faculty Senate, said supervisors have always had to sign employee monthly leave statements, but the language warning of discipline and asking for certification is new.

Brennan said she and her colleagues thought requiring medical certification for 10 days of consecutive sick leave is probably a more valid length of time.

"I think five days is too short," she said.

But Brennan noted that employees' ability to use the maximum amount of accumulated sick leave upon retirement to defray the cost of health benefits is an important benefit.

"We want to protect that," she said.

Wiley's Wednesday memo to faculty and staff comes in the wake of the recent endorsement by the Board of Regents of the new sick leave policy.

The regents were responding to criticism of UW personnel policies that came to light during the investigation of former Assistant Vice Chancellor Paul Barrows. In September, an independent investigator found that Wiley had allowed Barrows to use months of paid sick leave inappropriately.

Wiley warned employees that the university's waiver from a statewide cap on the amount of sick leave that faculty and academic staff could use to pay for health insurance upon retirement could be jeopardized if the leave policies are not followed.

"In order to meet the criteria established by the Department of Administration to maintain the waiver, UW-Madison must demonstrate a high degree of compliance in recording sick leave and vacation hours taken by faculty and academic staff," Wiley wrote.

"This means all faculty and staff must turn in completed leave reports to their departments each month. I cannot stress enough the importance of full compliance with this program, and the loss of benefits to ALL faculty, academic staff, and limited appointees if this waiver is removed."

Wiley said failure to submit monthly leave reports in a timely manner might also mean a loss of individual benefits at retirement.

He told Reilly that supervisors will independently receive instructions on measures to take that can help certify the accuracy of the leave.

Wiley also said he has already begun discussing sexual harassment training with campus governance groups and ways to expedite review of employees who have been convicted of felony offenses.

He said he has asked a shared governance group to review the campus' existing "consensual relations" policy to determine whether more specific guidelines need to be established to help employees determine whether there are conflicts of interest associated with romantic or sexual relationships.

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THE WHEELER REPORT
111 W. Wilson St. #UL-11 - Madison, WI 53703 - 608-287-0130
E-Mail: wheeler@thewheelerreport.com

Friday, October 13, 2006

AUDIT RAISES QUESTIONS ABOUT UW SYSTEM PERSONNEL POLICIES AND PRACTICES.

The Legislature's Joint Audit Committee will hold a hearing Nov. 29 on a Legislative Audit Bureau evaluation of the UW System's personnel policies and practices which raised questions about sick leave, vacation leave, consultant jobs, use of faculty sabbaticals and back-up positions.

"The audit raises questions about the effectiveness of the UW System's current leave reporting requirements and compliance with them," said Co-Chair Carol Roessler. In fact, in a section of the report dealing with compliance with required record keeping, the Audit Bureau said: "We noted that 19 of the 300 files, or 6.3 percent, contained at least one leave report dated shortly before our visits to the UW institutions but after we had asked to review specific files."

The Audit Bureau evaluation also includes a recommendation for the Legislature to consider a review of the sick leave conversion credit program in light of new financial reporting requirements for public employee benefit programs.

The Audit Bureau made several other recommendations, including:

- The Board of Regents consider modifications to policies for reporting sick leave use by unclassified staff and report to the Joint Audit Committee by next June.
- The Board of Regents consider modifications to policies for reporting vacation time use by unclassified staff and report to the Joint Audit Committee by next June on its proposal to improve reporting.
- The Board of Regents report to the Joint Audit Committee by next June on the number of position titles that have been or are being considered for designation as limited appointments and the job protections available to those who hold them.
- The UW System report to the Joint Audit Committee by next June on efforts to ensure UW institutions provide and track concurrent and back-up positions uniformly.
- The UW System report annually to the Board of Regents on employment of consultants.
- The UW System develop both a standard agreement that lists all requirements related to faculty sabbaticals and a standard form to use in determining total compensation received by faculty on sabbatical.

SERVICES SET FOR SEN. HANSEN'S MOTHER.

Visitation will be held from 9-11 a.m., Saturday, for Clare Hansen, mother of State Sen. Dave Hansen. The funeral will be at 11 a.m. at the Annunciation of the BVM, 401 Gray St., Green Bay. Condolences may be sent to Dave and Jane Hansen, 920 Coppens Road, Green Bay, WI 54303.

[Link to Releases.](#)

(END)

FOR IMMEDIATE RELEASE

October 13, 2006

Contact: Doug Bradley
dbradley@uwsa.edu
(608) 262-5061

UW System committed to responsible employment policies

MADISON— The University of Wisconsin System will address recommendations in a Legislative Audit Bureau (LAB) report as it continues to strengthen policies on the employment of its 42,000 faculty, staff and student workers. The LAB report was issued Friday (Oct. 13).

UW System President Kevin P. Reilly said that the university remains committed to strengthening its personnel policies and practices.

"The university's work with the Legislative Audit Bureau (LAB) on this report signifies our commitment to being responsive to requests from legislators and others for clarification of UW System employment policies and practices," Reilly said. He pointed out that the LAB report reinforces several recent Board of Regents actions to reform personnel policies and practices and that the report "is another step in our ongoing process to improve our accountability in this area."

"UW employees consistently exceed my high expectations of them," Reilly noted. "Their roles in cutting-edge research, quality teaching, and exceptional public service are central to the future competitiveness, economic health, and reputation of this state. We will ensure that our employment policies both encourage that work and assure Wisconsin citizens that public dollars are well spent in support of it."

According to Reilly, the UW System and the Board of Regents have recently implemented personnel reforms that are unprecedented in the public university system's 35-year history. For example:

- The UW System no longer offers so-called "back-up" appointments to new administrative employees.
- The UW System now has the state's most-stringent sick leave policy. University unclassified staff must have medical certification when using more than five consecutive days of sick leave.
- The UW System President must now approve any settlement involving the termination of a limited appointee.
- UW academic leaders who return to faculty positions after leaving limited appointments are now compensated at a salary rate consistent with their department peers.
- The Board of Regents is advancing changes to the disciplinary rules process to balance due process requirements with the need to act expeditiously in disciplinary matters involving criminal activity.

Findings related to the current LAB report include:

- All state employees have the ability to convert unused sick-leave to pay for health insurance upon retirement, but the audit emphasizes that the average value of this benefit is greater for many UW employees than state workers. This may be due to the finding that, on average, UW unclassified staff are older and have more longevity in state employment when they retire. However, state employees in comparable positions to academic staff carry forward more days of sick leave than do comparable university employees.
- University employees report lower rates of sick leave usage than other state employees in other agencies the LAB used as a base of comparison. This is true in part because, as LAB noted in its report: "Faculty workdays are scheduled according to academic rather than business practices and typically include nonstandard work hours to accommodate research and related activities." The UW System will work with faculty and staff to ensure accurate reporting of sick leave usage.
- As expected, the number of limited appointees with concurrent (or "back-up") appointments has not significantly decreased. However, since July 2005, the UW has hired 106 new employees in this

category who were not provided such an appointment, but would have previously been eligible for one. The number of "back-up" appointments will decrease over time as new limited employees are no longer granted these concurrent appointments.

- Consultants hired by the UW System consistently fulfill their responsibilities, but the audit found that employees are sometimes given the title of "consultant" when another title might be more accurate. UW Human Resources staff will make sure these titles are used appropriately in the future.
- Faculty, who earn sabbatical leave on the merit of their academic contributions, comply with reports on sabbaticals required by the university and the state. The university will develop ways to improve how it monitors this activity.

"The UW System will act decisively on the LAB recommendations regarding sick leave and vacation; limited and concurrent appointments; consultants; and faculty sabbaticals," Reilly added. "We will report back as requested to the Joint Committee on Audit by June 1, 2007."

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The Legislative Audit Bureau report, including the UW System's response, is available online at <http://www.legis.state.wi.us/lab/>

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StarTribune.com MINNEAPOLIS - ST. PAUL, MINNESOTA

Last update: October 13, 2006 – 11:52 AM

UW profs profit by failing to report sick leave, audit says

Associated Press

MADISON, Wis. — Many University of Wisconsin faculty fail to call in sick and instead convert their unused sick time into hundreds of thousands of dollars of health insurance when they retire, according to a university audit released today.

All state employees are allowed to roll over unused sick days from year to year and convert them into credits to cover health insurance premiums when they retire. UW faculty who retired last year converted an average of \$222,000 worth of unused sick leave into health insurance credits — three times as much as the average state employee.

UW System President Kevin Reilly said professors report little use of sick leave because they routinely work more than 40 hours a week on teaching, research and public service.

Still, he acknowledged the data shows faculty and staff are not reporting when they do take sick days.

"We've got some work to do to reconfirm with faculty and staff to accurately and appropriately report sick leave," he said.

Professors on average take less than one sick day per year, the audit found. They earn 12.

Other UW workers, such as custodians or computing staff, take an average of seven sick days per year, the audit said.

Forty percent of all UW faculty, administrators and academic staff took no sick leave between 2003 and 2005, the audit said. That's more than five times the percentage of employees at other state agencies who reported no sick days in that period.

The audit also uncovered 200 consultants on the UW System's payroll as of September 2005. Many of them earned more than university employees in positions with similar responsibilities.

In addition, hundreds of employees continue to hold backup positions they can transfer to when they leave their administrative jobs, the audit said. These include deans, for instance, who are promised jobs on the faculty or academic staff when they step down.

Reilly said university regents have stopped offering backup jobs to new employees, strengthened its sick leave policy by requiring a doctor's note for absences longer than five days and put clamps on paid leaves and settlement

agreements.

He called the reforms "unprecedented in our 35-year history as a system."

"The UW System's role is too central to the future competitiveness, economic health, and reputation of this state to allow the missteps of a very few to divert our great public purpose," he said in a letter responding to the audit.

The audit comes as Reilly and aides begin lobbying the Legislature to increase its budget for proposed campus expansions.

It's likely to become a topic in the governor's race because Republican Mark Green has accused Democratic Gov. Jim Doyle of mismanaging the universities.

Lawmakers ordered the audit after a sick-leave scandal involving a top UW-Madison official, reports of paid leaves for resigning administrators and news that hundreds of employees are guaranteed backup jobs if they step down or are fired.

A February audit identified 40 felons on the UW System payroll and found campuses were largely unaware of their backgrounds. That audit was in response to concerns that UW-Madison moved too slowly in firing three professors convicted of crimes.

The UW System of 13 four-year universities and 13 two-year colleges has about 42,000 employees, making it the largest employer in the state.

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WISCONSIN LEGISLATURE

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October 13, 2006
FOR IMMEDIATE RELEASE

For more information, contact: State Representative Scott Suder
608-267-0280

Suder: UW a Shambles Under Doyle Administration

Non-Partisan Audit shows Glaring Problems with Back-up Jobs and Sick Leave

Madison – State Representative Scott Suder (R-Abbotsford) has harsh words for the UW system after the release of an audit, which the lawmaker requested into the system's personnel policies, *"Jim Doyle's Board of Regents have allowed a once efficient University system to become one, which is fiscally bloated and accountable to no one. The UW is putting greater emphasis on protecting the jobs of employees who cannot make the grade than on seeing to it that students make the grade."*

Suder was at the forefront of a group of legislators who called for the audit over one year ago after news accounts showed the University system was employing felons, had back up jobs for highly paid university personnel and that some University personnel were still on the payroll while jailed.

Auditors write that in July 2005, UW officials bowed to public and Legislative pressure by saying the use of back-up jobs would be limited in the future. However, in December 2005, auditors found the number of staff with back-up jobs was virtually unchanged from six months prior.

Suder stated, *"This audit clearly shows a system run amuck with University officials saying one thing and doing another. If University employees are not performing adequately then they should lose their jobs just as most Wisconsin taxpayers would."* Auditors backed Suder up noting they "found that other universities do not provide concurrent or back-up positions as extensively as the UW-System does."

Auditors also note that faculty and other non-classified staff, such as Administrators at the UW have little or no accountability regarding the use of vacation time or sick leave. The end result is that on average these individuals are rolling over nearly **one-quarter million dollars** in unused sick leave when they retire. Since vacation for faculty and administrators is not routinely monitored, auditors raised red flags that many of them are not reporting the use of vacation time. This ends up costing taxpayers because those days may be rolled over into a "leave account" and used prior to retirement.

According to Suder, the just released audit paints a bleak picture of the university under Jim Doyle's leadership. Suder also pointed to documentation in the audit that the University has hired "Consultants" for over two-and-one-half-years despite the UW's policy stating consultants are to be short-term employees. Additionally, auditors pointed out that the consultants are paid more than normal pay ranges for positions with similar responsibilities.

-more-

Suder on UW audit - p. 2 of 2
October 13, 2006

“The facts in this audit are beyond worrisome. They are frustrating because the people that Jim Doyle has entrusted our University system to are bankrupting it while at the same time holding Wisconsin taxpayers, UW students and their parents ransom by continually increasing tuition rates and looking to the Legislature to provide life support to a floundering organization,” stated Suder. He continued, *“We need to have a university administration and Board of Regents that has some connection to the reality of what life is like for working class folks in Wisconsin. The elitists that Jim Doyle has put in charge are obviously not cutting it.”*

Suder concluded, *“Quite simply, I have to wonder if a University System under Jim Doyle can survive another four years.”*

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FOR IMMEDIATE RELEASE

Friday, October 13, 2006

On the Web: <http://www.votemarkgreen.com>

Contact: Luke Punzenberger

Office: 920-435-2006

Cell: 920-606-1683

Audit Shows More Mismanagement at UW Under Jim Doyle

GREEN BAY – Gubernatorial candidate Mark Green issued the following statement Friday on the Legislative Audit Bureau's report on Personnel Policies and Practices at the UW System.

"The Audit Bureau's report is yet another example of the mismanagement and scandal that have plagued the University of Wisconsin under Jim Doyle's watch.

"Jim Doyle can try and pass the buck all he wants, but he appoints the Board of Regents, he's the governor and he's sat by as these scandals continue to unfold.

"If Jim Doyle had made accountability and oversight his priorities at the UW instead raising tuition for Wisconsin kids by 50 percent and trying to hand tuition breaks to illegal immigrants, we wouldn't be in this mess.

"This report raises serious concerns about not only the effectiveness of the UW System's requirements for reporting vacation and sick leave, but also whether system employees are complying with these requirements. This lax oversight costs the taxpayers tens of thousands of dollars every year.

"The Audit Bureau also found that more than 1,000 system employees continue to have lucrative back-ups jobs, despite claims from Jim Doyle's Board of Regents that the practice had been eliminated.

"And, just as Governor Doyle has done in other areas of state government, the audit report shows that the UW System is paying more for outside consultants to do jobs that can be done by state employees at a lower cost to taxpayers.

"A system that allows an employee to rack up more than \$100,000 in unauthorized charges on a state credit card, that hires dangerous felons, and that continues to employ unqualified conspiracy theorists as faculty members is a system that desperately needs change.

"As a UW graduate myself, with three kids soon to be entering college, I'm angry at what I see happening at the UW under Jim Doyle's failed leadership. The UW system is one of the great resources of our state, and Jim Doyle is taking it in the wrong direction. Elect me governor and I will bring the change we need to the UW and to Madison."

###

P.O. Box 22366 • Green Bay WI, 54305 • 920-435-2006 • 920-430-7486 (fax)
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UW faculty don't use sick leave Audit: Most convert time to insurance credits

By Anita Weier
October 13, 2006

Seventy-seven percent of University of Wisconsin System faculty used no sick leave last year, allowing them to convert the time into valuable health insurance credits, according to a state audit released today.

"Most employees can be expected to report using at least some sick leave over a three-year period, but 6,772 unclassified (non-union) staff reported using none from 2003 through 2005," according to the audit, which recommends that the university adopt better reporting practices.

Accumulated unused sick leave is converted at retirement to credits that can help pay for health insurance. UW System employees who retired in 2005 converted an average of \$112,000 and faculty converted an average of \$222,100.

UW System employees who retired in 2005 will be able to purchase an average of seven years of health insurance at the state plan's family rate in Dane County compared to about five years for an employee who retires from another state agency, the audit found.

"Sick leave for state employees generally is such a valuable commodity, because it can be converted into health insurance coverage after retirement, that the impulse for state employees is to take vacation or come in when they are sick to avoid using sick leave," UW System President Kevin Reilly said in an interview.

"A lot of employees are not in an 8-to-5 at-your-desk job. They are working nights or weekends with flexible schedules. However, even if someone is working 60 hours that week, they have to take the sick day."

But Reilly said that UW officials will look at improving the tracking and monitoring of sick leave, in light of the data the Legislative Audit Bureau found.

The audit also revealed that some UW System employees spend little time on vacation. From 2003 through 2005, 197 non-union staff reported using no vacation time at all, and 1,176 reported 20 days or less.

"The large number of unclassified staff who reported using little or no vacation time raised questions about the effectiveness of UW System's current reporting requirements and compliance with them," the audit

said.

'Back-up' jobs: The audit also found that controversial "back-up" appointments - which allow transfers to other jobs after leaving an appointment - were continuing under another name, although officials said they had ended such appointments.

"The university did abolish back-ups, but replaced them in many instances," state Auditor Janice Mueller said today. "If you are a limited at-will employee, who tends to be a senior person, now you will get a concurrent appointment or up to six months of paid leave if they are terminated. They are both replacements to the back-up protocol. They get some form of job security."

The Audit Bureau is asking that the Board of Regents and the Legislature be aware of the practice, and that the UW System track such appointments and report to the Legislature.

Reilly responded that he suspended the use of back-up appointments to administrators coming into the system as of July 2005, and that 106 new administrative hires have not gotten back-up appointments.

However, there is a statutory right for faculty that if they are promised a limited term administrative appointment, they have the right to retain their concurrent position on the faculty, Reilly noted. "If they are faculty, they can still go back. We can't strip tenure," he said. Additionally, limited appointees who were already in place prior to the new policy were not stripped to the contractually-provided benefit, Reilly noted.

"Regardless of what UW System calls these positions, I expect accurate and consistent system-wide reporting of them in the future," said Rep. Suzanne Jeskewitz, R-Menomonee Falls, co-chair of the Joint Legislative Audit committee."

Consultants: Another area troubling state Auditor Mueller was the use of "consultants" who are not outside consultants.

"In a one-month snapshot, the university system spent over \$308,000. They aren't hired from outside, they are state employees with the job title of consultant. Many who have this title have salaries exceeding the pay ranges for positions with similar responsibilities," Mueller said.

For instance:

- A UW-Eau Claire consultant who serves as executive director of development had an annual salary of \$101,700, although UW System's development director title has a pay range from \$56,812 to \$85,219.
- A UW-Milwaukee consultant who serves as a senior advisor to the chancellor had an annual salary of \$163,200 as of September 2005, even though UW System's "senior special assistant" position title has a pay range of \$85,611 to \$128,416.

Additionally, such unclassified consultants are supposed to be hired on a short-term basis, but the Audit Bureau found that six of 24 consultants

on board in September 2005 were also on the payroll in 2003 and 2004.

"There are very few consultants, with a 40,000 employment base there are about 200," Reilly said. "The Audit Bureau said that some people have been given that title who shouldn't have it, and we will correct those kinds of errors and develop a sharper policy for short-term projects where we need someone with high expertise."

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Matthews, Pam

From: Handrick, Diane
Sent: Monday, October 16, 2006 9:28 AM
To: 'Jim Jeskewitz'
Cc: Matthews, Pam; Chrisman, James
Subject: UW Audit comments from Boots and Sabers

Sue, one of the comments talks about MF Village benefits.

Friday, October 13, 2006

UW Employees Playing the System

It appears that a lot of UW employees are scamming the taxpayers.

University of Wisconsin faculty members report far fewer sick days than other state employees and as a result earn hundreds of thousands of dollars more for health insurance when they retire, according to an audit released Friday.

UW professors on average call in sick less than one day per year, the audit found, while other workers such as custodians and computing staff take an average of seven sick days per year.

The disparity results in a lucrative retirement benefit: UW faculty who retired last year converted an average of \$222,000 worth of unused sick leave into health insurance credits - three times as much as the average state employee, the audit said.

The audit also raised questions about whether faculty are accurately reporting vacation time, excessive use of high-paid consultants and backup jobs guaranteed to hundreds of administrators.

So is the UW administration negligent or an accomplice?

Posted by Owen at [1924 hrs](#) | [Trackbacks \(0\)](#) | [Politics](#) + [Politics - Wisconsin](#)
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1. How about guilty?! Reilly promised the end of backup jobs months ago! This audit proves they were only paying lip service to the legislature. And they wonder why there is such animosity.
2. Posted by [Upset Alumni](#) on October 13, 2006 at 1958 hrs
3. The story doesn't make sense in some parts—maybe it's the reporter, not the report. But it says that faculty aren't taking enough vacation time. That's because faculty don't get vacation time—they're seasonal employees under nine-month contracts.
4. So let's hope a more credible reporting job on this report is coming soon.
5. Posted by [Ceedee](#) on October 13, 2006 at 2000 hrs
6. Upset, that's another part that isn't explained very sensibly. If faculty willing to take administrative positions for a while would have to give up the possibility of going back tto the classroom, they wouldn't be willing to take the positions—as most of those positions are held by people who already were here, not people newly hired. And most of them are parttime administrative positions held by faculty who keep teaching parttime, too.

7. If the rules change, though, then you would have to go outside to hire for all those administrative positions, and it would cost a lot more. Most of the faculty taking the jobs temporarily now keep teaching part of the time, too, so you also would have to hire more teachers if those positions become administrative fulltime.
8. And faculty actually are a very small percentage of the many thousands of UW employees. So if this is a big problem, it must be because of some other category of employees. This story just doesn't make sense in a lot of ways, at least as reported here.
9. Posted by Ceedee on October 13, 2006 at 2008 hrs
10. I am shocked, SHOCKED! Let's close the UW System. These folks are doing a horrible job! I read in US News & World report that the Madison campus is only the 7th best public university in the country. This is disgraceful! We should be #1!
11. What can we do to punish the Chancellor and others for their mismanagement?
12. Why can't we be more like Texas A&M? Oh wait—it's ranked much, much lower...
13. Posted by Wally on October 14, 2006 at 0648 hrs
14. You're right, Wally, if we stop the professors from cheating the system, then UW's rating will drop like a rock.
15. Posted by Fuzz Martin on October 14, 2006 at 0730 hrs
16. Owen:
17. If you think UW is bad, you should see what they do in Menomonee Falls with unused sick leave for Village employees that retire. The Village has about 215 employees and a population of about 33,000 with an annual budget of about \$30,000,000.
18. An article in the local newspaper from this past summer showed that the taxpayers of Menomonee Falls have paid out nearly \$2,000,000 million dollars in lump sum cash payments to Village retirees for unused sick leave since 1990 and there's an unfunded liability of an additional \$3,000,000 million dollars for existing employees. We can get you a copy of the document if you want. The reporter was told that this was in lieu of disability coverage and health care premiums for those employees that retired in their 50's. The truth is all Village employees are covered by the WRS System (Wisconsin Retirement System) and their disability program. Also, show me a retired 52 year old that doesn't go get another job and is covered for health insurance or doesn't go back to work for the municipality as a double-dipper or isn't covered under his spouse's plan or isn't part of a retirement health care program. Let's call it what it is, a major money grab by the unions. This is the kind of stuff GM and Ford got themselves into big time trouble over.
19. Now wonder Wisconsin is the tax ---- that it is.
20. Posted by robert jones on October 14, 2006 at 0743 hrs
21. When did employees using sick leave only when they are sick become a problem? One day of sick leave per year sounds close to my professional experience. I see two issues.
22. 1) Other State employees are abusing the system by using sick leave when they are not sick.
23. 2) These time off benefits need to be brought into the 21st century. Cap the number of hours that can be carried over year-to-year. Combine sick time and vacation into paid time off.

24. This doesn't "Walmart" the employees, it will just bring them in line with other major employers in Wisconsin and the U.S.

25. Posted by Headless Blogger on October 14, 2006 at 1024 hrs

26. Watch out what you ask for—you might just get something else, like the last group of workers in this state barred from the right to collective bargaining finally getting it. That's the UW faculty. They have bided with not having the right to collective bargaining because they have been bought off with this benefit.

27. By the way, a reason that the amount of sick leave they accrue over the years is because they work for us for far more years than most state workers. The average state worker has a fairly short stay (clerks, custodians, etc.), while faculty who do stay will spend their careers here, for thirty or forty years. That ends up saving costs of staff turnover (ask any business about that, and new faculty have to be hired at competitive rates in a national market, for a lot more.

28. Something about this report still doesn't make sense. I note that the AP story's silly statements about faculty not taking vacation—silly because nine-month employees don't get any paid vacation time—entirely disappeared from the Journal Sentinel story.

29. Posted by Ceedee on October 14, 2006 at 1043 hrs

30. I was talking to a buddy who works at UW about this and he told me the story of a retirement party for a faculty member who was lauded for never having taken a sick day during his entire time at the University. All those in attendance looked at each other quizzically and wondered aloud, "Then why did we get him that present when he was in the hospital for over a month?"

31. Posted by kinda cranky on October 15, 2006 at 2204 hrs



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UW faculty not taking sick leave

RYAN J. FOLEY Associated Press
October 14, 2006

University of Wisconsin System faculty members report far fewer sick days than other state employees and as a result earn hundreds of thousands of dollars more for health insurance when they retire, according to an audit released Friday.

System faculty on average call in sick less than one day per year, the audit found, while other workers, such as custodians and computing staff, take an average of seven sick days per year.

Sick days taken by UW- Madison employees were roughly in line with the rest of System averages.

The disparity results in a lucrative retirement benefit: System faculty who retired last year converted an average of \$222,000 worth of unused sick leave into health insurance credits - three times as much as the average state employee, the audit said.

The audit also raised questions about whether faculty are accurately reporting vacation time, excessive use of high-paid consultants, and backup jobs guaranteed to hundreds of administrators.

System President Kevin Reilly said professors report few sick days because they routinely work more than 40 hours a week on teaching, research and public service. Still, he acknowledged the data showed some are not accurately reporting their sick leave.

"We need to do a better job of explaining so that when they are sick, they do take a day and they report it," Reilly said.

The state allows all of its employees to accumulate unused sick days and convert them into credits to cover health insurance premiums when they retire. System professors earn 12 sick days per year.

Reilly said that benefit is a key tool in recruiting and retention. Professors often earn more credits than other workers because they are usually older when they retire, he said. Not all of the credits are always used, he added.

UW-Madison's unclassified workers, a category which includes faculty and academic staff, used an average of 2.2 sick days in 2005, compared to 2.1 sick days for the System overall. Classified workers at UW-Madison, a category that includes janitors and IT workers, used an average of 6.8 sick days that year, as did the rest of the university system.

The yearlong audit by the nonpartisan Legislative Audit Bureau looked into personnel policies in the System of 13 four-year universities and 13 two-year colleges. It found:

Faculty who earn vacation time report using fewer days than other workers. Almost 200 administrators, professors and academic staff reported no use of vacation time during a three-year period.

That raises questions about whether faculty are complying with reporting requirements and may indicate that some are using more vacation days than they receive in a year, the report said.

Hundreds of employees continue to hold backup positions they can move into if they leave their administrative jobs. For example, many deans have been promised jobs on the faculty or academic staff when they step down or even if they're fired.

The UW Board of Regents moved last year to eliminate backup jobs for new hires and limit the number of administrators who qualify for them. But after the Regents' action, university officials quietly added new positions to those eligible for the perk. That means the number of officials with backup jobs isn't likely to decrease soon.

The university employed 190 consultants as of September 2005. Many earned more than university employees with similar responsibilities. In one example, a UW- Milwaukee consultant who advises the chancellor earns \$163,200, about \$35,000 more than the top pay for that position.

Consultants often stay on the payroll for years even though they are supposed to be used for short-term projects.

Lawmakers ordered the audit after a sick-leave scandal involving a top UW- Madison official, reports of paid leaves for resigning administrators and news that hundreds of employees are guaranteed backup jobs if they step down or are fired.

Several said they were startled by Friday's report, which said 40 percent of all System faculty, administrators and academic staff took no sick leave between 2003 and 2005. That's more than five times the percentage of employees at other state agencies who reported no sick time taken in that period.

"The audit raises questions about the effectiveness of UW System's current leave reporting requirements and compliance with them," said Sen. Carol Roessler, R-Oshkosh, co-chair of the Legislature's audit committee.

The System has already begun revising its personnel policies and will continue to improve them, Reilly said. Faculty now must provide doctors' notes for absences of more than five days.

More than 100 new employees have been given guarantees of six months' salary if they are fired instead of backup jobs, he said.

Reilly called these changes unprecedented in the System's 35-year

history.

"The UW System's role is too central to the future competitiveness, economic health, and reputation of this state to allow the missteps of a very few to divert our great public purpose," he said in a letter responding to the audit.

U.S. Rep. Mark Green, the Republican candidate for governor, said the findings support his claims that Democratic Gov. Jim Doyle has mismanaged the universities.

"The Audit Bureau's report is yet another example of the mismanagement and scandal that have plagued the University of Wisconsin under Jim Doyle's watch," Green said in a statement.

Doyle spokesman Matt Canter said the report "reveals they have to focus on how they adhere to sick leave and other policies."

"The governor expects the UW System management will do that," he said.

State Journal reporter Jason Stein contributed to this article.

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Barrows appeal to be public

KAREN RIVEDAL 608-252-6106

April 10, 2006

A rare public look at the inner workings of a UW-Madison staff disciplinary case will unfold today and Tuesday, as former vice chancellor Paul Barrows tries to overturn the university's decision last fall to punish him over allegations that he harassed two women.

Normally such reviews are conducted in secret. But Barrows, now working as an administrator at Bascom Hall for about \$73,000 a year, demanded that the two-day hearing before the Academic Staff Appeals Committee be public.

The committee's decision will be a recommendation to Chancellor John Wiley. But Barrows has asked that the recommendation go to the UW Board of Regents, a step that is allowed but not required.

Barrows maintains that Wiley cannot be objective because he was involved with events preceding the harassment allegations. In November 2004, Wiley removed Barrows from his post as vice chancellor of student affairs and let him take a seven-month personal leave after Wiley learned that Barrows had dated a graduate student, a relationship that was deemed consensual but inappropriate.

Barrows said in an interview last week he would fight the university's decisions to reprimand him on the harassment allegations - which are unrelated to the graduate student relationship - and demote him from a \$150,000-a-year consultant job that he briefly held after the leave.

"My goal is to prove that I did not harass those two individuals," he said. "This hearing is to go over my entire case."

UW-Madison spokesman Brian Mattmiller maintained that the scope of the hearing would be more limited.

University lawyers will try to defend former provost Peter Spear's written reprimand of Barrows. They also will defend Spear's decisions to make Barrows take sexual harassment training and use vacation time rather than sick leave to cover 92 hours of his time away.

Spear took those actions last fall in response to a university investigation by Susan Steingass that said Barrows' conduct toward the two women, who have never filed formal complaints, could be regarded as sexual harassment. Steingass, a Madison lawyer and university employee, also concluded Wiley shouldn't have let Barrows use sick days for a large part of the leave.

The university's witness list for the hearing this week has 13 people on

it, including Sara Fuller and Chandrika Mahadeva. Each woman is listed as being able to provide information "regarding Barrows' behavior toward her."

Other names on the list include Wiley, Steingass, Wiley aide Casey Nagy, various lower-level administrators and Spear, who retired last year and lives in Tucson, Ariz.

Notably absent from the list is Luoluo Hong, the former dean of students who quit last July after saying she couldn't work with Barrows, who had been her supervisor.

Hong made a series of accusations against Barrows in a November 2004 memo to Wiley that helped prompt Barrows' demotion as vice chancellor. Among other things, she claimed Barrows had a reputation for sleeping around with students, and she said he had engaged in a "predatory pursuit" of the graduate student in the consensual relationship.

Hong now works as dean of students for the west campus of Arizona State University in Phoenix, Ariz.

Barrows said last week he understood Wiley had the right to demote him in November 2004, because the vice chancellor job, eliminated after Barrows went on his leave, was a limited appointment. Under state and university rules, people in limited appointments serve at the pleasure of the chancellor and can be fired from those jobs for no cause.

Barrows had rights to a backup job provided in his employment contract, however. Barrows, who has worked at UW-Madison for 17 years, also cited a rule that requires people to be placed in backup jobs at a level and salary in keeping with their skills and experience.

Barrows doesn't think the job he has now meets those requirements. Instead, he wants the \$150,000-a-year consultant job Wiley gave him upon his return from the leave in July. Wiley removed Barrows from that job within a few days and put him on paid leave while Steingass investigated.

That consultant job also was a limited appointment. But Barrows said he could be given the same job in the form of an academic staff appointment, which requires cause for dismissal and generally can be renewed annually.

Barrows was placed in his current job last September by Spear to fulfill the backup requirement in his contract.

Beyond the staff appeal, Barrows also filed state and federal EEOC complaints concerning his treatment. He also is appealing a decision by U.S. District Judge John Shabazz, who in January dismissed a lawsuit Barrows filed against Wiley alleging that Barrows shouldn't have had to use his own assets to cover his leave.

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Head regent disavows Loftus views on media

By KAREN RIVEDAL
krivedal@madison.com
608-252-6106

One day after a member of the UW Board of Regents publicly said university leaders should dodge questions from the media, board President David Walsh issued a rare weekend press statement disavowing the comments and pledging openness by all officials in the University of Wisconsin System, including the Regents.

"Individual regents are welcome to voice their own opinions," Walsh said in the statement about Regent Tom Loftus' pointed remarks at Friday's board meeting in Milwaukee. "But the Board, UW System administration and our campuses will be responsive to all public inquiries. If we can't answer a particular question, we will see to it that a UW System staff member is made available to respond."

Loftus on Friday sent the opposite message, when he counseled university leaders to ignore questions about sensitive issues, such as the System's ongoing efforts to change campus admissions policies to reflect a greater emphasis on diversity. The board was getting its first full briefing from top staff on the issue — which has prompted some critical responses from lawmakers in the past few weeks — when Loftus offered this unsolicited advice:

"You don't have to answer these (media) questions," he said. "A reporter needs a story, but a reporter needs a quote (to have a story)."

Loftus also said, "Words

hurt," in apparent reference to critical coverage, and he suggested the System could avoid "self-inflicted wounds" if officials kept silent on certain topics or answered less frankly. A few people laughed after Loftus spoke, but otherwise no one responded to his comments — although Walsh and System President Kevin Reilly, who repeatedly have stressed the need for transparency in System business, appeared stone-faced.

In Saturday's statement, Walsh said he wanted to make it "perfectly clear" that he disagreed with those remarks.

"Ours is a public university with a long tradition of service to Wisconsin students and taxpayers, and as long as I am president of the board, we will be open and accessible to the public, including members of the news media," Walsh said.

Walsh also noted that the public can listen to live broadcasts of board meetings via the Internet, an advance that began shortly after Reilly became System president two years ago.

"Open communication and dialogue are essential values of a world-class public university system," Walsh added. "Although there may be some debate, and at times openness might invite criticism, everyone will benefit from constructive dialogue and that requires complete transparency on the part of the UW System."

Friday's remarks by Loftus marked the second time he addressed media at the meeting. The day before, while talking about an issue, he said he was going to speak slower when he saw reporters taking notes.

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PRESS RELEASE

FOR IMMEDIATE RELEASE
FOR FURTHER INFORMATION CONTACT:
Rep. Steve Nass (608) 266-5715

June 14, 2006

Some UW Administrators Don't Deserve Pay Increases ***Nass: President Reilly and Chancellor Wiley are lucky to still have jobs.***

State Representative Steve Nass (R-Whitewater), Chairman of the Assembly Labor Committee, criticized pay increases granted by the UW System Board of Regents to President Kevin Reilly and UW-Madison Chancellor John Wiley. The Board of Regents authorized a pay increase of \$14,035 for President Reilly and \$11,011 for Chancellor Wiley. The increases will occur in two-steps over the next ten months bringing President Reilly's salary to \$340,435 and Chancellor Wiley's to \$322,075 (including money from the UW-Madison Foundation).

"It's not surprising that the Board of Regents agreed on the pay increases for Reilly and Wiley behind closed doors. The poor performance of both administrators over the last year doesn't justify any pay increase. In fact, Reilly and Wiley ought to thank God they still have jobs," Nass said.

Even though UW Madison Chancellor John Wiley claims that he will donate his pay increase to charitable organizations, Nass pointed out that he will receive the pay increase, thus receiving a bump in how his state retirement benefits will be calculated. Nass noted that if Wiley was truly offering an olive branch to his critics, then he should refuse to accept the pay increase outright instead of donating it.

"Chancellor Wiley is getting a pay increase of \$11,011 regardless of his claims. The taxpayers will fund the pay increase so he can get a pension enhancer and a tax break for his charitable contributions. Just another example of how the spin out of the UW System doesn't reflect the truth. This gives a whole new meaning to the sifting and winnowing that supposedly occurs at our university system," Nass said.

Nass based his statements regarding Wiley and Reilly on numerous personnel scandals and management blunders that have plagued the UW System for more than a year. Many of the problems still continue and reform efforts within the system have stalled because of a lack of leadership at the highest levels.

"While President Reilly and Chancellor Wiley have performed terribly over the last year, the members of the Board of Regents have also failed miserably in their duties to direct the institution. There needs to be a major shake-up in the membership and powers of the Board of Regents, if the public is to regain trust in the overall management of the UW System," Nass said.

-END-

**UW SYSTEM SCANDALS AND MANAGEMENT PROBLEMS
BRIEF LISTING FROM LAST COUPLE OF YEARS
(Page One)**

UW System - Regents & President Lyall violate the State Open Meetings Law.

UW System - Regents give President Lyall a \$91,000 pay raise.

UW System - \$700 car stipends for President and Chancellors.

UW-Madison - Paul Barrows' Case (Round 1) involving Chancellor Wiley and top aide.

UW System - Policy on back-up jobs.

UW-Stout – Decision to block ROTC program.

UW System - Computer software problem costing taxpayers more than \$25 million.

UW-Milwaukee - Music professors.

UW-Milwaukee - Golden parachutes for administrators who left employment and were allowed to continue receiving a salary.

UW-Whitewater - Invites Ward Churchill to speak.

UW Whitewater - Dr. Lee Jones and Dr. Howard Ross removed as Deans for misuse of state issued credit cards.

UW System - Legislative audit finds UW is top heavy with administrative positions.

UW System - Non-resident Tuition reduction of more than \$2,700.

UW-Madison – State Ethics Board reviews how Madison's lobbyist makes tickets to UW sporting and other events available to legislative leaders.

UW-Eau Claire – Resident Assistant prevented from leading bible study under university policy.

UW System - Wood Communications Survey finds serious public concern over management of system.

UW System – Waukesha/Milwaukee Merger sidetracked by missed deadlines and delays in study committee process.

UW System - Convicted professors earn pay behind bars.

UW System – Legislative Audit on number of convicted felons working in the system finds flaws in personnel procedures.

**UW SYSTEM SCANDALS AND MANAGEMENT PROBLEMS
BRIEF LISTING FROM LAST COUPLE OF YEARS
(Page Two)**

UW-Madison – Cows used in research and education allowed to starve to death.

UW-Madison – ABC National News uncovers questions regarding security of small research nuclear reactor on campus.

UW System - White collar embezzler hired without reference check (follow-up on UW Felon Audit).

UW-Madison - Administrators propose closing fertility clinic associated with the Medical School and UW Hospital/Clinics as a cost savings measure. Media uncovers serious infighting amongst managing doctors was the real reason.

UW-Madison - Paul Barrows' Academic Staff Review Board finds serious procedural problems with how Chancellor Wiley and top aides handled this case (Round 2).

UW System - \$700 car stipends found to be continuing nearly a year after the Board of Regents began process to end stipends.

UW System – Administrators recommend end of current admissions policy using academic performance as main factors. Propose holistic review process using non-academic factors such as race, ethnicity, family income or any other factor that would achieve greater diversity in student population.

The View of the Infortunate Brewer

During 2005, UW-Madison endured a string of bad news that frustrated its leaders and strained relations with state legislators. Can the university calm the stormy waters? Or are there more clouds on the horizon?

By Michael Penn MA'97

It is not the case, as some college guides suggest, that one can stand in front of Bascom Hall and look all the way down State Street to Wisconsin's capitol.

Because of a slight crook in how the hill aligns with the street, the view doesn't quite work out, leaving the capitol's granite dome off in the periphery. Some say it's an accident of poor planning. Others claim that whoever placed UW-Madison's administration building got it just right, reflecting the fact that Wisconsin's lawmakers and its flagship university are eternally looking past each other, never quite seeing eye to eye.

That was never more true than in 2005, a particularly miserable year for UW-Madison's legislative relations. In a six-month period,

three UW-Madison faculty were convicted of felonies while on payroll, and a top administrator's seven-month paid leave of absence turned into a messy public ordeal that drew ire from the other end of State Street. To make matters worse, the bad news spilled out just as legislators deliberated the state's budget for the next two years, making the university an easy target for cuts.

In the hot glare of the public spotlight, the venerable institution looked a little worse for wear. Its budget was snipped, its administration called out publicly, and its generally impeccable reputation in the state took a hit. Even John Wiley MS'65, PhD'68, UW-Madison's normally unflappable chancellor, seemed happy to put the year behind him.

"There is no denying that it was a rough year," he said in January.

But as the calendar turns and the headlines fade, questions linger. How did the university find itself in such a jam? Was it just bad luck, or are there deeper issues to face? Will the wounds heal?

More than anything, the events of 2005 raise concerns about UW-Madison's relationship with state government, an often-rocky arrangement that many observers say has grown especially uneasy in recent years. Even before recent events, a series of tight state budgets has created a rift, leading university officials to doubt legislators' commitment to higher education, and legislators to doubt the university's commitment to

Wisconsin would deal with a relationship that seemed to be coming apart.

BY THE TIME 2005 STARTED, THE SEEDS for a bad year had already been planted. Two months earlier, Wiley had a conversation with Paul Barrows, his vice chancellor for student affairs, that would set things in motion. Wiley thought Barrows could use some time off.

In September, Wiley learned that Barrows had been involved with another employee, a relationship that Barrows said began and ended consensually. The situation posed no apparent conflict with university policy, but in November, Wiley was told that the relationship had been with a graduate student, and that many staff and students seemed upset about it. Believing that Barrows had shown poor judgment and could no longer be effective, Wiley asked him to step down as vice chancellor and agreed to his request for some time off to sort out some personal issues. He told Barrows to use vacation time and sick leave accumulated during his sixteen years at the university. Shortly thereafter, Wiley announced that he was reorganizing the student affairs division, eliminating the vice chancellor position entirely.

By June of last year, Barrows was still on leave at his \$190,000 annual salary, leading a handful of state legislators to ask why he hadn't returned to work. Initially, the university cited med-

stories swirling, Wiley placed Barrows in a program specialist position in the provost's office, a fallback job with a nearly \$73,000 annual salary that was outlined in Barrows's appointment with the university. So-called back-up positions exist at many universities and are commonly offered as enticements for tenured faculty who take on administrative roles, the idea being that they wouldn't want to serve as deans or chancellors if it meant risking their teaching positions. Barrows, however, held a non-teaching academic staff position, and some wondered why a career administrator would need such a benefit.

After hearing of the arrangement, Governor Jim Doyle '67 told reporters that he was "very frustrated," adding, "We really have to be concerned about a system where this is going on." Others were more blunt. In an interview with the *Milwaukee Journal Sentinel*, state representative Robin Kreibich, a Republican who chairs the state assembly's committee on universities, said, "I can't think of another state agency or private sector [employer] that would provide a safety net for highly paid administrators that screw up."

A legislative audit later revealed that 1,092 employees throughout the UW System were guaranteed back-up positions, about half of which are required by state law. The UW Board of Regents has since suspended the practice for new appointments and ordered a study of



"It's important for the university to address these issues head on. When something happens on a UW campus that generates headlines, people do begin to question how the university is being run. Really, what's at stake is the integrity of the system."

financial austerity. While these debates are taking place in just about every state house in the country, the situation in Wisconsin has turned more rancorous — and more ominous — than most. At a time when states and public universities must come together to confront new economic realities, the question became how

ical reasons, but journalists soon discovered that he had been well enough to apply for jobs at other universities during his absence. That same month, two women accused Barrows of sexual harassment, although neither filed a written complaint.

With public attention mounting and

alternatives, such as fixed-term contracts for administrative appointments.

But back-up appointments weren't the only personnel crisis university officials would face in 2005. Between March and August, three UW-Madison faculty were convicted of felonies, one for sexually assaulting three young girls, another

for e-mailing sexually explicit material to a teenage boy, and a third for stalking. Because state law prohibits the university from firing an employee solely on the basis of a criminal conviction, all three

who sought to curb spending. Republicans, who hold a majority of seats in both houses of Wisconsin's legislature, voted to slice an additional \$35 million from the UW System's share of state funding,

address these issues head on," says state senator Sheila Harsdorf, a Republican who chairs the senate's committee on higher education. "When something happens on a UW campus that generates



"For the past forty years or so, the university has been kind of a sacred cow around here. They never really had to face scrutiny about how they were spending their money. But when budgets got tight, the UW got thrown on the table."

cases remained wrapped up in university investigations and appeals even months after the professors were sentenced for their crimes. Two of the professors used vacation time to collect their pay while in jail, ultimately being placed on unpaid leave. The third was placed on administrative leave with pay, pending appeal.

Although they recognized the university's due-process obligations, some lawmakers were incensed that the university couldn't rid itself of felons any faster. After a summer in which the papers had been full of stories about paid leaves and guaranteed back-up jobs, it seemed to confirm the worst stereotype of cushy university life, in which faculty and staff enjoy privileged status far beyond that of most citizens.

"Our personnel system is very complex," admits Wiley. "When people have looked at the details, with very few exceptions, they understand the decisions we made. But at the same time, it's difficult to understand how someone can be charged with a felony, given a fair trial, convicted, and thrown in jail, and we still are grinding our civil law process months later."

By this February, one of the professors had been fired, and the firing of a second was awaiting approval by the Board of Regents. The third case remained in appeal.

For the university, the flood of bad news couldn't have come at a worse time. The stories broke during negotiations on the state's new two-year budget, providing ready-made talking points for those

erasing most of a modest increase proposed by Doyle.

"There were some serious cases of mismanagement, and at the same time, we had a very tight budget," says John Gard, the Republican speaker of the state assembly. "In some people's minds, it made it easier to hold the line on some of the university's spending."

The governor restored most of the funding in the final budget, leaving in place only a \$1 million cut directed specifically at UW-Madison's administration, which lawmakers had written in — apparently as a reprimand for its handling of the personnel cases. But while the issues ultimately may not have cost the UW much money, they exacted a bigger price in public perception. The UW System submitted to a legislative audit of its personnel policies, and an independent investigator was appointed to study how the Barrows situation was handled. The latter report faulted the chancellor for failing to adequately monitor Barrows's use of sick leave, which has led the university to change how days off are requested and approved.

More significantly, the cases raised doubts about the university's credibility in the eyes of some of its constituents. Many legislators felt that its initial response to the personnel issues was slow and provided incomplete answers about the steps taken to address the situation. "The appearance was that the university was somewhat indifferent to it and tried to hide things," says Gard.

"It's important for the university to

headlines, people do begin to question how the university is being run. Really, what's at stake is the integrity of the system."

But some say that the cases played into the hands of a group of legislators who were determined to score political points at the university's expense. Even before the Barrows situation became front-page news, a small but aggressive group of representatives, predominantly Republicans, were attacking the university on a number of fronts, ranging from how much it spends on administration to its stand on divisive social issues such as stem-cell research. Last spring, some of these legislators led the criticism of a UW System policy to give chancellors a seven-hundred-dollar-a-month allowance to pay for their automobiles. In their eyes, the Barrows case became another prime example of administrative bloat.

"There are five or six guys that have just been beating the tar out of the university system. They look for opportunities to ding the UW every chance they get," says Republican state senator Scott Fitzgerald. "But does it make the system more accountable? Absolutely. So I'm not going to say that those guys aren't doing their jobs."

UW-MADISON IS NO STRANGER TO legislative discord. In the 1930s, Governor Philip La Follette and Progressives in the legislature engineered the firing of UW President Glenn Frank, who they felt wasn't liberal enough. More than a decade later, conservative allies of U.S.

Senator Joseph McCarthy sponsored a legislative commission to investigate subversive and Communist activities on campus. And in the true spirit of the public interest, the legislature intervened in 1953, after professors voiced opposition to the idea of sending the Big Ten champion to the Rose Bowl every year, by slashing the UW's budget and condemning the faculty.

"There have always been legislators who criticize the university. That's nothing new," says Jack O'Meara '83, who handles legislative relations for an organization of UW-Madison faculty. "But particularly in the past year, it's gotten worse."

"Legislators seem to feel that the university is easy pickings right now, and they've tended to pile on more than necessary," says Mark Bugher, director of the University Research Park and a former official in the administration of Tommy Thompson '63, JD'66. "It's not that the university should be exempt from criticism. But this kind of show-boating is really frustrating."

What's changed? Observers point to the legislature's shift in power from Democrats to Republicans, as well as a general tide toward heightened partisanship, as laying the groundwork for more adversarial relationships. Certainly, the university's past political fumbling also

UW history. That cut was eventually offset by a \$150 million tuition increase.

But nothing has affected the landscape more than Wisconsin's perennially tight financial picture. Squeezed on one side by the rising cost of obligations such as Medicare and secondary education, and on the other by a tax base that has remained virtually flat in recent years, legislators have little flexibility to make the state's budget add up, leaving them no choice but to reduce spending in other places, including the UW System.

"For the past forty years or so, the university has been kind of a sacred cow around here," says Fitzgerald, chair of the legislature's joint finance committee. "They never really had to face scrutiny about how they were spending their money. But when budgets got tight, the UW got thrown on the table."

The pressure has been most acute during the past decade, as Wisconsin's manufacturing-based economy stagnated and the state ran up a deficit that reached \$1 billion in 2002. After small increases during the late 1990s, UW-Madison's state funding fell by nearly 10 percent from 2001 to 2004. When special-purpose appropriations such as building maintenance and utilities are factored out, in 2005 the state allocated \$255.1 million to UW-Madison to support the university's core mission, slightly

their public universities, allowing them to replace public support with higher tuition and private gifts. While taxpayers footed more than half of the bill for public colleges and universities in the 1980s, today they provide only about 30 percent of their budgets. And as in Wisconsin, economic conditions have made the current picture especially bleak. Nationally, per-student state support fell by 18 percent between 2000 and 2004.

The problem is not that states have suddenly decided to hate their universities. Budget realities are simply making them hard to afford.

"Public universities are caught in this perfect storm" between a growing pile of demands on states and a national appetite for tax cutting, says former UW System president Katharine Lyall, now a scholar with the Carnegie Foundation. In a new book, *The True Genius of America at Risk*, Lyall and former UW System chief budget officer Kathleen Sell PhD'95 argue that these fiscal and political winds are causing "de facto privatization" of America's top public universities, making them look and operate less like publicly accountable institutions.

The authors note, for example, that state funding now accounts for only about 8 percent of the University of Virginia's budget and less than 7 percent at the University of Colorado at Boulder.



This larger issue of accountability seems to underlie many of the recent squabbles between UW-Madison and state leaders. Most of the debates boil down to a simple question of control: to whom — and on what issues — is the university accountable?

deserves some blame. Many legislators remain chilled by the 2002 decision by the Board of Regents to freeze admissions at all UW campuses in response to Republican-proposed budget cuts. Some Republicans were further irked that university officials seemed to make little fuss the following year, when Doyle, a Democrat, sliced the UW System's funding by \$250 million, the largest budget cut in

less than in 1995. Taxpayer money, which in the early 1970s accounted for nearly half of UW-Madison's revenue, now funds only about 19 percent of the university's \$2.1 billion annual operating budget.

But the situation is not unique to Wisconsin. Confronted by many of the same budgetary quandaries, many other states have rolled back commitments to

"It is not realistic to expect that a world-class university can indefinitely continue to raise its own funding, compete in the marketplace for top faculty, staff, and students, but be accountable only to its shrinking public investors," Lyall says.

This larger issue of accountability seems to underlie many of the recent squabbles between UW-Madison and state leaders. Most of the debates boil

down to a simple question of control: to whom — and on what issues — is the university answerable?

The dynamics of privatization exist at UW-Madison, as well. From 1995 to 2004, while state funding crept up by 13 percent, the university's overall budget grew by 68 percent. Its endowment more

hard on the university when it does not appear to be serving the public good.

Some legislators argue that the university is dismissive of voter concerns on social issues, such as stem-cell research and protecting students' moral and religious freedoms. State representative Daniel LeMathieu was furious that a

accessible and affordable education.

"Virtually every state in the nation has these kinds of issues, and those things will tend to ebb and flow," says Aims McGuinness, a scholar for the National Center for Higher Education Management Systems. "The real question is, can legislators and the university



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than tripled, and it ranked among the top three public universities in the amount of research grant money brought into the university by faculty. To some, the fact that the state is no longer the prime source of funding entitles it to have less say in how the university conducts its business.

"It's one thing to be told what to do if the state is providing 50 percent of the overall support for the university, but it's another when that support is below 20 percent," says Bugher. "At some point, you have to ask, 'Does the legislature deserve to have a role?'"

But to others, those statistics reinforce fears that UW-Madison is growing to look more like a private commodity. Because research grants and private gifts are usually designated for specific purposes, the university has supported its core educational mission as state money has waned largely by transferring costs to students. Tuition for in-state students has more than doubled in the past decade, up nearly 66 percent from 2000 alone.

As much as Wisconsinites may like the fact that UW-Madison is a world-renowned research institution, public-opinion surveys have consistently shown that what they value most about the UW System is its mission to educate state citizens. Rising tuition, along with increased competition for admission on most UW campuses, is shutting more families out of the system, and legislators sense that there is more willingness to come down

UW-Madison student health clinic ran ads in campus newspapers just before spring break last year that reminded students to get prescriptions for the morning-after pill. Saying that the ads showed how "public universities are out of touch with average Americans," he quickly introduced a bill, which has passed one house of the legislature, that would prohibit university health clinics from dispensing the form of birth control, which he considers "chemical abortion."

In another extreme example, Democratic representative Marlin Schneider MS79, a longtime critic of the university who once derided it as being full of "white-wine-drinking, quiche eaters," last year introduced legislation that would mandate, among other things, a maximum weight for textbooks and where parents can park during move-in. Although his so-called student bill of rights never came to a vote, it struck some around the university as a sign that there were no limits to legislative pestering.

In all of these discussions, there is a tension between public accountability and micromanagement that can jeopardize both the university and the state. Move too much in one direction, and states infringe on universities' ability to be flexible and to capitalize on new funding opportunities that can leverage the state's investment. Move too much in the other, and public universities may begin to drift away from their commitments to

come together and work toward a common purpose?"

McGuinness, who advises states on how to retool their partnerships with universities, says the fundamental problem facing Wisconsin is that manufacturing-based economies don't have good prospects for long-term growth. "Unless the economy is revitalized, state revenues are going to continue to be stretched," he says. "Really, the conversation needs to be about the role that the university plays in the future of the state."

Leaders at both ends of State Street recognize the need to focus on the UW's role as an economic engine, if for no other reason than that making the state wealthier would ultimately help bring more money to the university, as well. Sheila Harsdorf, who represents a district in western Wisconsin along the Minnesota border, notes that people in the Badger state earn on average four thousand dollars a year less than their neighbors to the west. "That's an issue we have to consider when we look at the affordability of the System, but we also need to recognize the role the university can play in addressing this situation by attracting higher-paying jobs," she says.

To accomplish those goals, a few states are moving away from the traditional ways public universities have been managed. In North Dakota, for example, state government has put \$50 million into the creation of university-run innovation

The Year of Unfortunate Events

Continued from page 25

centers, which work to translate university ideas into new business for the state. Virginia and Florida are among the states that have taken steps to loosen regulations on their public universities, freeing them from costly reporting requirements while also creating incentives for achieving specific public goals. The trend is to use budgets less to punish universities for doing something wrong, and more to reward them for doing something right.

That's something that McGuinness doesn't see in Wisconsin, which he says appears to be stuck in a position of demanding hyper-accountability on administrative minutiae, while paying relatively little attention to bigger issues, such as how the state can continue to afford a sustainable level of public support for its universities.

those meetings have gone over well with representatives, who complained that they lacked personal contact with university leaders in the past.

"I have seen President Reilly and the chancellor more in the past year than ever before," says state senator Fitzgerald. "That's a positive sign."

Jack O'Meara, citing concerns about morale among faculty, is somewhat more guarded in his optimism. "My hope is that we can start to turn the corner, but I think the key is that everybody needs to realize the importance of the university to the state and its future economy. The legislature certainly has the right to criticize the university, but too much of this back and forth will eventually hurt the university."

As brutal as the year was, however, it may ultimately prove to have been more embarrassing than damaging. The

known for his love of numbers, can rattle off a dozen benchmarks that indicate that things may not be as bad as they seem. "When I look at the data," he says, "we've never been in better shape in almost every dimension of our activities."

But even the university's leaders have tended to zero in on the outliers. They were reminded of how much the personnel matters had come to dominate their vision late in the year, when they gathered for a regular monthly meeting to discuss the university's public relations. Most of them, showing the wear of months of trench warfare during the university's various legislative battles, were decidedly gloomy about the university's prospects. The sole exception was UW Foundation president Andrew Wilcox, the chief architect of UW-Madison's ongoing capital campaign.

How many reasons did he have to



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"The debate seems to be about a lot of peripheral issues," he says. "Historically, Wisconsin recognized way before other places how important the university was to the future of the state. But right now, I would have to say that you are falling behind."

THERE ARE SIGNS THAT WISCONSIN IS regaining its footing. Legislators and university officials indicate willingness to move past the injuries of 2005 and find more constructive ways to work together in the future. UW System president Kevin Reilly, Chancellor Wiley, and members of the Board of Regents have made the rounds with legislators of both parties to pledge their commitment to avoiding the kind of messy public spats that erupted last year. From all signs,

general sentiment, as Representative Gard says, is that "the university took a hit, but not a lethal one."

"Most people around here are pulling for them. I don't think that's always understood — the vast majority of people in the legislature will do what they can to help," he says. "Those folks don't necessarily get quoted in the paper as often. The detractors get a lot more ink."

The lasting legacy of 2005 may be the power of bad news to trump good. While its personnel issues dominated local headlines, UW-Madison was otherwise ticking off a quietly productive year, one that contained many stories less salacious, but perhaps no less important, than those crises. Graduation rates are near 80 percent, a high-water mark for the modern era. The average time it takes students to earn a degree is at an all-time low. Wiley,

be happy? About 1.5 billion of them. Despite the university's political problems last year, Wilcox reported that donors gave more than \$194 million in 2005, up 20 percent from the previous year, and more than enough to exceed the campaign's \$1.5 billion goal.

Wilcox does not suggest that the UW's undeterred success in fund raising should supplant concerns about future state budgets. It does, however, offer a lesson in perspective.

"Around the university, we tend to internalize a lot of things that we ought to just get over," Wilcox says. "We all make mistakes, and most of the time, people will forgive you. They might not forget, but they do forgive." ✍

Michael Penn MA'97 is senior editor of *On Wisconsin*.

Cowles
Miller
Kerkman
Lassa 9:50
Ressler 9:40
Fitzgerald 10:00

Kaufert 10:00
Cullen 10:13

10/18/05

- + LAB
- + Kerkman
- + Cowles - possible to look at Big 10 states as to what they do if anything
 - ↳ will try to do the best we can w/ the access we get to that info
- + Miller
- + Lassa - consultants - how/cost of in-house
- + Sue - sick leave use
 - ↳ will look at & expect to see diff w/ faculty . . .

UW

- ← Kelly & Walsh
 - ↳ written testimony → need copy of testimony
- Walsh - our job
 - + since July, spent all our time on pp.
 - + if broken, will fix
 - ↳ is prob w/ disciplinary practice
 - ↳ delicate process, parts are broken in a region cases - need to fix
 - + take seriously
 - + appointed a committee to look at this
 - statutory changes - will need legis. help
 - ↳ by December want ^{needed} changes 10/10
- + Ressler ^{not} a lot of gray, a lot of Black and a lot of white . . .

Sue - thanks, etc., ^{Mary's} memo discussion,

Rayfert - things seem to be happening - since you're doing things, do you think we still need to do this audit?

↳ think Jan & colleagues can add do info, but leave that ~~decision~~ ^{decision} up to you.

Kerkman - How many chancellor positions open at this time?

↳ 2 openings now; WW College/Extension & Eau Claire

Wes - Paul Barrows update

↳ pending litigation - not advised to comment

Kerkman - How many would not have received a b/o under current rules

↳ 64% have stat. B/O

CoRub - disturbing that taxpayers hear, but only her speaking

- student voice

- revised sexual harassment policies

* Expand scope of audit to include

Executive Session

Moved by
Carol - Soc - 2nd

Memo to Kaufert

Consensus

Rep. Seidel, Groggby, CSW

10/19/05

Senate Higher Ed

• Fair Employment Act -

↳ said could not fire unless substantially related
& an individual investigation

- could have statute for XX felones the UW may
employ or discharge

↳ would have to have a connection to job

↳ upon conviction

** Supreme Court case

• Background checks - every 2 years?

• Declaration - Taylor - people knowing about it

• Notice of appeal - timeline

• 310 for maternity